

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA)
v.)
PAUL BELLOISI)
Defendant.)
_____)

Case No. 20-CR-219 (DLI)

The Hon. Dora Irizarry

Declaration of Paul Belloisi

I, PAUL BELLOISI declare, under penalty of perjury, as follows:

1. I am the defendant in the above-referenced case. I make this Declaration in support of the motion to suppress custodial statements allegedly taken from me and physical evidence, in violation of the Fourth, Fifth, and Sixth Amendments to the United States Constitution.

2. The statements contained herein are based on my very best recollection of the events described herein which took place in early February of 2020, nearly two years ago. Because this Declaration is being offered for the purpose of establishing that my rights were violated, I have not included every detail of what took place.

3. On the afternoon of February 4, 2020, I reported to work at JFK Airport, American Airlines, Terminal 8, where I was then employed as a senior mechanic. My shift that day was from 2pm to 11:30pm. As I was on this particular day, I am often assigned to a specific job with a crew of other mechanics at the beginning of a shift. Once the day's specified job is completed, as it often is before a shift is over, myself and other mechanics are generally at liberty to be in various places in the terminal area or the airport and are on call to address mechanical issues and situations as they arise for the duration of our shifts. I can also state with certainty, and note that it is a well-known fact to all employees, that the entire area of Terminal 8 and JFK Airport as whole, are

covered with surveillance video cameras constantly recording. A person is literally on camera the entire time they are conducting their shift like I did on February 4, 2020.

4. After completing my specific job assignment for my shift on a triple 7 aircraft with a crew of other mechanics, I went to another aircraft that I had observed earlier which was being prepared for a takeoff later that evening. When I had gone for a coffee break earlier, I had observed the Sky Chef truck at the plane refilling the food and snacks for the upcoming flight and it was my intention to take some of those food and snacks for myself to eat. Although this was not a permitted practice by American Airlines, it was a widespread practice amongst mechanics and other employees, and many people did this, both mechanics and other employees.

5. When I arrived to the aircraft and boarded it, I observed that I had arrived too late as there were already flight crew members and others on the plane therefore making it impossible for me to take the snacks I went there to get. However, before I left the cabin of the plane, I noticed that the heating and air conditioning system appeared to be malfunctioning. I then went underneath the plane to the avionics compartment and pressed the reset button for that system.

6. Before exiting the avionics compartment under the plane, I noticed a blanket that was oddly taped to the wall of the compartment and I felt around to try to determine what was going on with it as it was a safety concern. I then saw the blanket was covering several packages that were stuck to the wall and I became aware that this could be something dangerous for me to have discovered. In my shock and uncertainty, I decided to simply leave the avionics compartment and then did so.

7. As I was closing the avionics compartment door from the ground, I saw someone ducking behind one of the aircraft's wheels some distance away. As I walked towards him, the person came around the wheel and started walking toward me and then suddenly more men started coming over to me as well. I was asking them who they are and what are they doing. Before

answering any of my questions, they encircled me, someone started going through my pockets and took my phone, and also took my ID from around my neck. One of the men took my work gloves from me, demanded I show him my hands and then an officer shined a light on my hands. I repeatedly asked them what they were doing, who were they and why were they taking my stuff. They immediately began patting me down and they took my phone, my ID, and my work gloves. Each time I asked for further information as to why I was being held there they kept repeating, "you know." Several times I asked for my phone back but they refused to give it back to me and told me not to look in the direction of the airplane.

8. While standing there, turned away from the airplane on the tarmac, these men told me that they were law enforcement officers and that I was being detained. They refused to answer any of my questions about why I was being detained. When I asked if I was under arrest, they told me: "no, you are being detained." I told them I wanted a union representative there with me but they told me that was not necessary. They began asking me questions along the lines of, "why are you at this airplane? What were you doing inside the plane? What are you doing here?" As I was giving answers to some of their questions, I was forced, at times physically, to turn and look in the opposite direction of the airplane while additional vehicles and what appeared like other law enforcement officers arrived. After what felt like 30 minutes standing on the tarmac and having questions fired at me by various officers, I was ushered into an SUV. Inside the SUV, I was in the backseat flanked by officers while other officers sat in the front seats. The SUV was driven to what I believe was the International Arrivals Building.

9. When we exited the SUV and arrived at the building, the officers took the coat I was wearing and removed it from my presence. They then placed me inside a room with a table, some chairs and what appeared to be a two-way window-mirror on a wall. Officers told me to take

everything out of my pockets and put it on the table. Believing I had no choice, I complied with their request. Again, I asked the officers if I was now under arrest and again they told me I was being detained so they could talk to me about what happened. I told them this does not feel like I am being detained it feels like I am being arrested and I want a lawyer. They made a comment about this not being like television. When I refused to answer their questions, they left the room. There was one officer who remained seated on a chair in the doorway between the room I was in and the outside area, where I could hear other people speaking. He was positioned such that the door could not close with his body on a chair.

10. About five or ten minutes later some of the officers came into the room and sat down with me. One officer sitting down in the room placed a piece of paper with several handwritten lines of writing in front of him and he was holding my cell phone, which he then placed on the table. I could not see what was written on the pages but he was glancing at it while he began questioning me. None of the officers in the room mentioned anything about my request to call a lawyer but just started asking me the same questions they had been asking me back on the tarmac. I felt extremely uncomfortable, told them I had already told them everything and I had nothing else to say. I repeated my request to contact an attorney and even asked the officer if I could use my phone to do so, as my phone lay on the table in the room with us. When he refused to answer me, I asked if I could at least contact a union rep. The officer would not answer my requests but was staring at my phone scrolling through what appeared to be my text phone messages. After silence took over the room the officers all left shortly thereafter.

11. I was in that room at least three or four hours, mostly with just one officer who was stationed between my room and the rest of the space outside the interrogation room, although, at certain times, the door would be closed with the two of us in the room alone. At certain points,

officers would come in and ask me the same kinds of questions they had been asking and then leave again. Finally, a group of them came in sat down and told me that I was now being placed under arrest. That same officer who had possession of my cell phone was with them, still holding onto my phone. One of the officers asked me if I would agree to speak with them without an attorney. I refused. I was then shown several pieces of paper that had handwritten notes covering most of the pages. I was asked if I would sign what he called, "your (my) statement." I refused to sign the written pages. I was then given a piece of paper that listed rights that I had and I was asked to sign the form. I refused to sign the form. This was the first time I was given this rights form and none of the information on that form was ever read to me out loud. After my refusal to sign any of the papers brought to me, I was taken to a holding cell.

12. While inside the holding cell, an officer came in, holding my cell phone and asked me for my wife's phone number as an emergency contact to place on one of the forms they had to fill out for my arrest. I told them I did not have the number memorized but that it was in my phone and I could find it for them if they gave it to me. The officer asked me if I would consent to a search of my phone. I refused to consent to the search. They asked me what name my wife was saved under. I told them "Mitzie", and he began scrolling through the names in the phone and when he got to Mitzie, he showed the phone to me and I reached through the cell bars to try to press her name but he pulled the phone back and pressed it himself. I was not allowed to touch the phone and when I began trying to leave a voicemail (my wife did not answer) the officer pulled the phone away from the cell, began walking away and I heard him leaving a voicemail for my wife.



Paul Bryan Belloisi